



WILLIAM T FUJIOKA
Chief Executive Officer

County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

14 AUGUST 31, 2010

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

SET FOR HEARING SEPTEMBER 21, 2010 AT 9:30 AM

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

August 31, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**CONSENT TO TRANSFER FRANCHISE RIGHTS TO THE CITY OF NORWALK
APPROVE A RESOLUTION OF INTENTION AND APPROVE THE
INTRODUCTION OF AN ORDINANCE TO GRANT A NEW 15-YEAR
WATER PIPELINE FRANCHISE TO THE CITY OF NORWALK
(FOURTH DISTRICT) (3 VOTES)**

SUBJECT

Approval of these recommendations will provide your Board's consent to transfer to the City of Norwalk the franchise rights granted to County Water Company, and grant a new 15-year water pipeline franchise to the City of Norwalk to renew these existing franchise rights in the Norwalk-Cerritos Island unincorporated area of the County.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Consent to transfer to the City of Norwalk the franchise rights your Board granted by Ordinance No. 85-0151F, to County Water Company.
2. Introduce, waive reading, and place on your Board's agenda an ordinance to grant the City of Norwalk a new 15-year water pipeline franchise, setting the matter for public hearing on September 21, 2010, and instructing the Executive Officer of your Board to publish a notice of the public hearing pursuant to California Public Utilities Code Section 6232.
3. Find that this project is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to Class 1 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301 of the State CEQA Guidelines (Existing Facilities).

"To Enrich Lives Through Effective And Caring Service"

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Intra-County Correspondence Sent Electronically Only**

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Adopt the accompanying ordinance to grant a new 15-year water pipeline franchise to the City of Norwalk, becoming operative on October 25, 2010, the date following the expiration of the existing County-Water franchise.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for your Board to consent to transfer franchise rights from County-Water to the City of Norwalk, approve a Resolution of Intention, introduce an ordinance, schedule a public hearing and publish a notice of the public hearing, as needed to adopt an ordinance to grant the City of Norwalk a new 15-year water pipeline franchise.

Implementation of Strategic Plan Goals

The County Strategic Plan directs that we maximize and support timely delivery of efficient public services (Goal 1), and provide access to delivery of customer-oriented municipal services (Goal 3). Your Board's approval of a Resolution of Intention and adoption of an ordinance to grant the franchise to the City of Norwalk is consistent with these goals.

FISCAL IMPACT/FINANCING

The County-Water franchise has not generated any franchise fees since the City of Norwalk acquired County-Water in May 2005, and the recommendation is for your Board to grant the franchise renewal to the City of Norwalk on a gratis basis with no annual franchise fees as is customary with government agencies.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On September 24, 1985, your Board adopted Ordinance No. 85-0151F, granting a 25-year water pipeline franchise to County-Water, which became effective on October 25, 1985, and will expire on October 24, 2010. County-Water is a former California public-utility water company formed in 1951 to provide water service to various neighborhoods in the cities of Norwalk and Cerritos, including 115 water customers located in a small pocket neighborhood known as the Norwalk-Cerritos Island unincorporated area of the County.

In December 2004, the City of Norwalk filed an eminent domain and condemnation case to acquire County-Water (Case BC325907). After the final order in May 2005, all of the assets of County-Water (including all water pipelines installed in unincorporated County highways), were acquired by the City of Norwalk, the County-Water was merged out and decommissioned as a public utility, and all of these water pipeline facilities were assimilated into City of Norwalk Municipal Water System that now serves these neighborhoods.

The Department of Public Works and Fire Department have reviewed this recommendation and have no objection to the granting of the franchise. County Counsel has reviewed and approved the accompanying ordinance to grant the franchise and approved it as to form.

Pursuant to Section 6232 of the California Public Utilities Code, the Executive Officer of the Board shall arrange for publishing of a notice of the public hearing in a newspaper of general circulation in the County at least once within 15 days after your Board's adoption of the Resolution of Intention.

ENVIRONMENTAL DOCUMENTATION

This franchise project is categorically exempt from CEQA pursuant to Class 1 of the Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301 of the State CEQA Guidelines (Existing Facilities).

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will not impact or adversely affect any current services or future projects.

CONCLUSION

Instruct the Executive Officer, Board of Supervisors, to send conformed copies of the adopted Board recommendation, Resolution of Intention and franchise Ordinance Attention: Mr. Tom Lynch, Assistant City Manager, City of Norwalk, 12700 Norwalk Boulevard, Norwalk, California, 90650, and the offices of County Counsel, Department of Public Works, Fire Department, and the Chief Executive Office, Real Estate Division.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:SK:WLD
CM:RB:kb

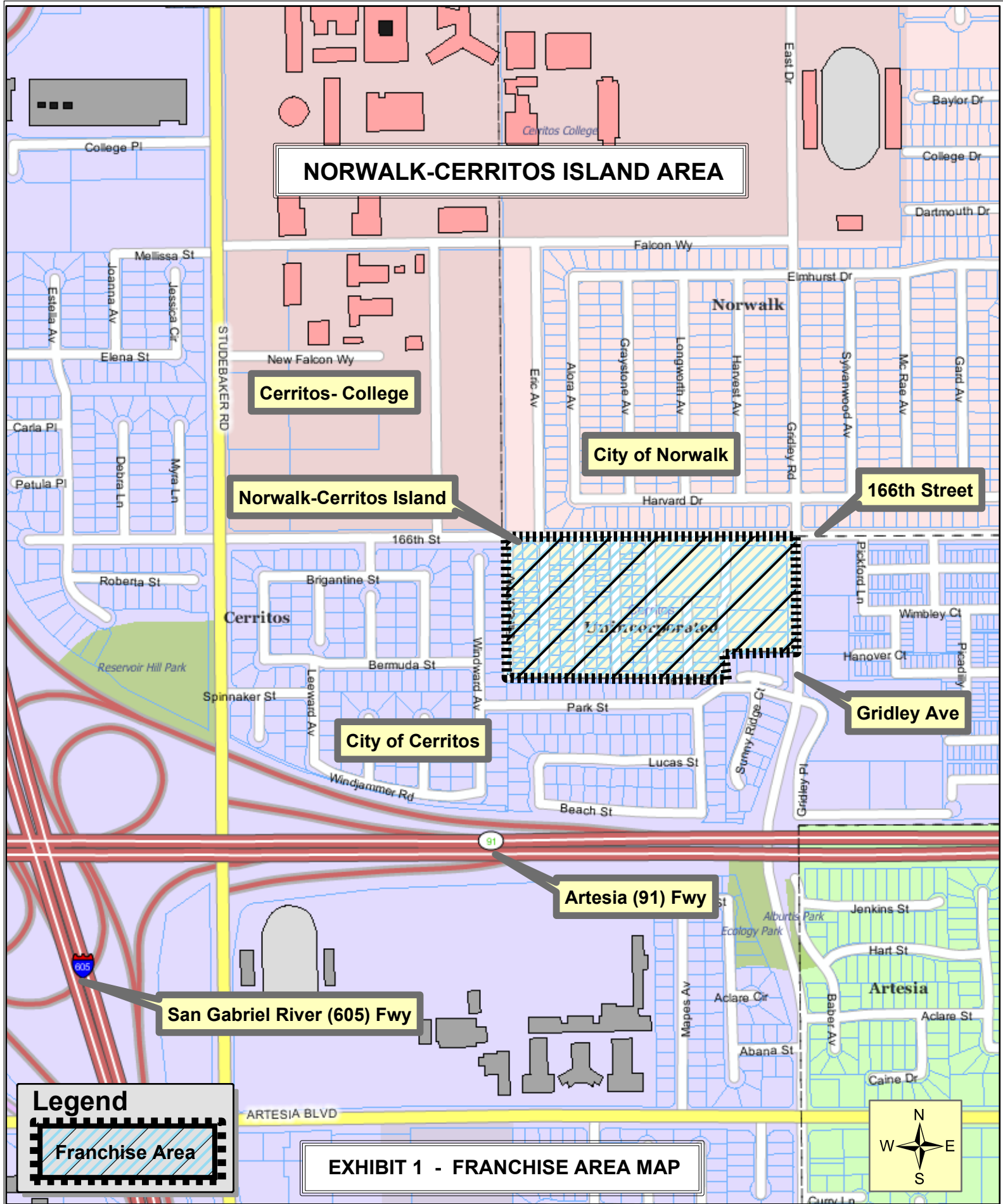
Attachments

c: Executive Office, Board of Supervisors
County Counsel
Fire Department
Public Works

FRANCHISE AREA MAP

The City of Norwalk

This map illustrates the unincorporated area affected by the franchise and is provided for the convenience of the reader.



RESOLUTION OF INTENTION

To Grant a

Water Pipeline Franchise

To

The City of Norwalk

**RESOLUTION OF INTENTION TO GRANT A 15-YEAR WATER
PIPELINE FRANCHISE TO THE CITY OF NORWALK**

BE IT RESOLVED by the Board of Supervisors of the County of Los Angeles, State of California:

A. The City of Norwalk ("Franchisee"), has agreed to enter into a franchise with the Board of Supervisors of the County of Los Angeles, State of California, for a period of fifteen (15) years, beginning on October 25, 2010, the operative date of the franchise, to lay, construct, reconstruct, maintain, operate, renew, repair, change the size of, and remove or abandon in place, pipes and pipelines for the transportation and distribution of water, waste water, mud, and other liquid substances, including those substances that are generally accepted as appropriate for the treatment of water, excluding any hazardous substances or hazardous waste within the meaning of the "Comprehensive Environmental Response Compensation and Liability Act of 1980," 42 U.S.C. § 9601 et seq., and amendments thereto (provided, however, that this exclusion shall not apply to substances in such amounts as are generally accepted as appropriate for the treatment of water), together with all manholes, valves, cathodic protection systems, appurtenances, and connections necessary or appropriate for the operation of said pipes or pipelines, adjunct communications lines, including poles, conduits, wire, cables, and other appurtenances and equipment for telegraph or telephone lines, or both, necessary or appropriate solely for the Franchisee's operations in, under, along, or across any and all highways as defined in Section 16.36.080 of the Los Angeles County Code, now or hereafter dedicated to public use in the unincorporated territory of the County of Los Angeles, State of California, located within the Norwalk-Cerritos Island unincorporated area, as depicted on the exhibit map attached to the proposed Ordinance to grant the franchise, attached hereto as Exhibit A.

B. It is the intention of the Board of Supervisors of the County of Los Angeles, State of California, to grant the franchise applied for upon the terms and conditions herein mentioned. The franchise is to be granted without the payment of any insurance, bond, granting fee, toll or franchise fee whatever, except for the compliance by the Franchisee and by its assigns with all of the remaining terms and conditions thereof.

C. The franchise is described in the Ordinance attached hereto as Exhibit "A" and is a franchise for water transportation and distribution purposes.

D. That on the 21st day of September, 2010, at the hour of 9:30 a.m. of said day, a day not less than twenty (20) nor more than sixty (60) days after the date of the passage of this resolution, in the hearing room of the Board of Supervisors, Room 381, Kenneth Hahn Hall of Administration, 500 West Temple Street (corner of Temple Street and Grand Avenue), Los Angeles, CA 90012, all persons having any objection to the granting of the franchise hereinabove described may appear before the Board of Supervisors and be heard thereon.

E. The Executive Officer, Board of Supervisors, shall cause notice of said hearing to be published at least once within fifteen (15) days after adoption of this Resolution of Intention in a newspaper of general circulation published in the County of Los Angeles, State of California.

The foregoing resolution was on the 31st day of August, 2010, adopted by the Board of Supervisors of the County of Los Angeles, State of California, and ex-officio the governing body of all other special assessment and taxing districts, agencies and authorities for which said Board so acts.

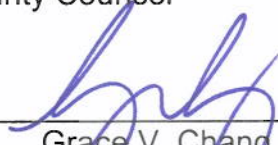


SACHI HAMAI, Executive Officer-Clerk
of the Board of Supervisors of the
County of Los Angeles

By 
Deputy

APPROVED AS TO FORM BY:

ANDREA SHERIDAN ORDIN
County Counsel

By 
Grace V. Chang
Senior Deputy County Counsel